

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

EX PARTE OR LATE FILED

IN REPLY REFER TO:

CC92-77

September 27, 1994

RECEIVED

OCT 3 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Jeff Bingaman
Attention: Mark Valenzuela
U.S. Senate
110 Hart Senate Office Building
Washington, D.C. 20510

DOCKET FILE COPY ORIGINAL

Dear Senator Bingaman:

Thank you for your letter on behalf of Sandra Peticolas-Garley, County Manager, Quay County, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

No. of Copies rec'd 1
List ABCDE

The Honorable Jeff Bingaman
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,



Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures



JEFF BINGAMAN
NEW MEXICO

OLA
92-M

110 HART SENATE OFFICE BLDG.
WASHINGTON, DC 20510-3102
(202) 224-5521
IN NEW MEXICO—1-800-443-8858
TDD (202) 224-1792

United States Senate

4499

September 8, 1994

Mr. Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Reed:

I have received the enclosed letter from Sandra Peticolas-Garley concerning Billed Party Preference Regulations.

I would appreciate your looking into this matter and reporting back to me on your findings. Please send your response to the attention of Mark Valenzuela.

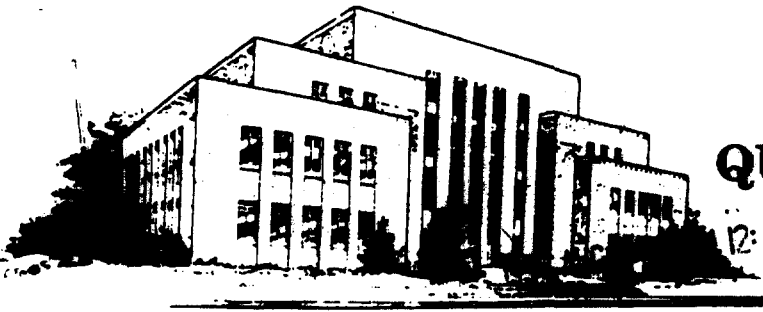
Thank you for your assistance in this matter.

Sincerely,



Jeff Bingaman
United States Senator

JB/mv
Enclosure



QUAY COUNTY GOVERNMENT

300 South Third Street - Courthouse

P.O. Box 1246

Tucumcari, New Mexico 88401

(505) 461-2112

July 27, 1994

Honorable Jeff Bingaman
Hart Senate Building, Rm 524
Washington, D.C. 20510

Qu. gm
347226

Dear Senator Bingaman:

I am very concerned about the proposed ~~BPP~~ ~~Bill~~ ~~Party~~ Preference (BPP) regulation that is now under consideration by the Federal Communications Commission. There are several ways that the BPP will negatively effect the Quay County Detention Center when companies providing private pay phones and inmate phone systems are eliminated by BPP.

1. Phone number blocking capabilities will be lost - increasing victim and witness harassment by inmates.
2. Detention Center operating costs will rise as we will have to go back to phone call supervision by facility personnel.
3. Inmate call monitoring and/or recording capabilities that we subscribe to will be lost as the companies that provide long distance calling companies have no incentive to provide this service.
4. Answering parties are not allowed to answer calls from the Detention facility. This means that we will have to have someone at the call. When we have someone at the call, inmates in the facility will be able to contact them.

I feel this regulation will be a disaster for the Detention facilities, and a disaster for the inmates. The inmates will have to pay for calls for inmates in the Detention Center. I am completely opposed to this regulation. I will contact the FCC before this regulation is adopted. I will let you know that they will be creating real problems for the Detention Center.

Sincerely,

Sandra Peticolas-Garley

Sandra Peticolas-Garley
County Manager

QUAY COUNTY MANAGER
BOARD OF COUNTY COMMISSIONERS